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12 T. CHRISTOPHER JOHNS; and JOHNS AND
13 ALLYN, A.P.C.

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

13 MICHAEL DeMARTINI and RENATE
14 DeMARTINI,

15 Plaintiffs,

16 v.

17 THOMAS CHRISTOPHER JOHNS; JOHNS
18 & ALLYN, A.P.C.; and DOES 1 TO 30,
19 inclusive,,
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Defendants.

CASE NO. 3:12-CV-03929-JCS

**[PROPOSED] ORDER GRANTING
MOTION TO REOPEN CASE AND
VACATE ARBITRATION AWARD**

Judge: Magistrate Judge Joseph C. Spero
Date: November 21, 2014
Time: 9:30 a.m.
Courtroom: G

1 This matter came before the Court on November 21, 2014 before the Honorable Joseph C.
2 Spero, United States Magistrate Judge, presiding, on Defendants Thomas Christopher Johns's and
3 Johns & Allyn, A.P.C.'s Motion to Reopen and Vacate Arbitration Award. The Court has
4 considered the moving papers, all papers in support and opposition thereto, the arguments of
5 counsel, and the record, and based thereon, GRANTS the motion.

6 The portion of the July 30, 2014 Award issued by Arbitrator Marshall in an arbitration
7 administered by the American Arbitration Association (AAA No. 7419448513 S1M) that awards
8 \$158,000 in damages and \$19,100 in arbitration fees and costs to Plaintiffs Michael and Renate
9 DeMartini based on the alleged failure to produce evidence in regard to mineral rights is hereby
10 VACATED.

11 IT IS SO ORDERED.

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13 Dated: _____, 2014
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17 The Honorable Joseph C. Spero
18 United States Magistrate Judge
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